

Appl. No. 10/711,947  
Amdt. dated September 26, 2007  
Reply to Office action of June 26, 2007

**Amendments to the Drawings**

The attached sheet of drawing shows that a laser diode of an optical pick-up head can emit two laser beams of different wavelengths and generate the predetermined signals by the two laser beams.

5            Attachment : New Sheet

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### **REMARKS**

The Examiner is thanked for the careful review of this application. Applicant has thoroughly reviewed the outstanding Office Action including the references cited therein. The following remarks are believed to be fully responsive to the Office Action and to  
5 render all claims at issue patentably distinguishable over cited reference.

#### **Present Status of Application**

The Office Action rejected all claims 1-12 under 35 U.S.C. 102 (a) as being anticipated by Applicant admitted prior art (AAPA). Further, all claims 1-12 are also rejected under 35 U.S.C. 102 (e) as being anticipated by Chen et al. (US 2005/0058036)'s the admitted prior  
10 art. Moreover, the drawings are objected to under 37 CFR 1.83(a) which fail to show every feature of the invention specified in the claims. However, Applicant respectfully traverses the rejection and request reconsideration of all rejected claims.

#### **Discussion of Office Action Rejections**

##### **15 Rejection of claims 1-12 based on 35 USC 102 (a)**

Claims 1-12 are rejected under 35 U.S.C.102 (a) as being anticipated by Applicant admitted prior art (AAPA).

The Examiner recited that this rejection is made because the response on 4/25/2007 Applicant admitted that “ “the laser beam of the first wavelength and the laser beam of  
20 the second wavelength are emitted from an optical pick-up head” is illustrated in the block diagram of Figure 2” and “Figure 4 illustrates that S-curves are created when the laser beams of the first and second wavelengths are emitted” , and the drawings are labeled as Prior Art. By accepting the drawings 2 and 4, the admitted prior art discloses all the limitations of claims 1-12.

25 However, in the first response to the non-final Office Action, Applicant just wants to emphasize that the optical pick-up head can emit laser beams of different wavelengths. Further, Fig. 2 is the partial block diagram of the optical disk drive and Fig. 4 is the

diagram of S-curves. Moreover, the S-curves in Fig. 4 are generated by the same laser beam. Therefore, in order to avoid confusing, Applicant submits the new sheet of the drawing to show the features of the claimed invention that the optical pick-up head emits two laser beams of different wavelengths.

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**Rejection of claims 1-12 based on 35 USC 102 (e)**

Claims 1-12 are rejected under 35 U.S.C.102 (e) as being anticipated by Chen et al. (US 2005/0058036)'s the admitted prior art.

Chen et al. disclose the structure of the loaded optical disk could be identified as a  
10 CD or DVD or as single-layer or a dual-layer according to a focusing error signal derived from the detection signals. That is to say, a light beam radiated from a light source generates S-curves and the structure of the loaded optical disk could be identified as a CD or DVD or as single-layer or a dual-layer according to the S-curves. And according to [004] and Figs. 2A and 2B of Chen et al., it is the single layer disc because there's only  
15 one S-curve in Fig. 2A and it is the dual-layer disc because there are two S-curves in Fig. 2B. Specifically, the S-curves in Figs. 2A and 2B are generated by the same laser beam.

However, Applicant discloses a method for determining the existence of a disk in an optical disk drive, the method comprising: focusing a laser beam of a first wavelength, and determining whether a disk is inserted into an optical disk drive according to the  
20 generation of a first predetermined signal; and focusing a laser beam of a second wavelength if the first predetermined signal is not generated, and determining whether a disk is inserted into an optical disk drive according to the generation of a second predetermined signal. That is to say, an optical pick-up head can emit two laser beams of different wavelengths in order to determine whether a disk is inserted into an optical  
25 disk drive according to the generation of the predetermined signals.

Therefore, Chen et al. does not teach the use of emitting two laser beams of different wavelengths from the same pick-up head for determining whether a disk is inserted into an optical disk drive. Chen et al. do not disclose every features of the claimed invention.

For at these reasons, Claims 1-12 patently defines over the cited art and should be allowed.

**Rejection of drawings based on 37 CFR 1.83 (a)**

5       The drawings are objected to under 37 CFR 1.83(a) which fail to show every feature of the invention specified in the claims.

Applicant has submitted a new sheet for showing every feature of the invention specified in the claims. In Figs. 6, it shows that a laser diode of an optical pick-up head emitting two laser beams of different wavelengths and generate the predetermined signals by  
10   the two laser beams.

**Conclusion**

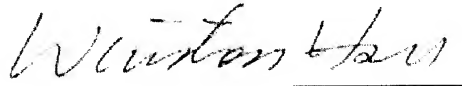
In light of the above remarks, Applicant respectfully submits that all claims 1-12 and the drawings to overcome the rejections under 35 U.S.C 102 (a), 102 (e) and 37 CFR 1.83  
15   (a). Specifically, the present application can not be anticipated by Applicant admitted prior art (AAPA) and can not be anticipated by Chen et al.. In view of foregoing, it is believed that all pending claims and drawings are in proper condition for allowance.

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Sincerely yours,



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